



BOX PCT  
PATENT  
3868-0113P

THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: VON FALKENHAUSEN et al. Conf.: 6939  
Int'l. Appl. No.: PCT/EP00/09061  
Appl. No. 10/089,444 Group: UNKNOWN  
Filed: March 29, 2002 Examiner: UNKNOWN  
For: PREPARATION CONTAINING ACTIVE  
AND/OR AUXILIARY SUBSTANCES, WITH  
CONTROLLABLE RELEASE OF SAID  
SUBSTANCES, AS WELL AS ITS USE AND  
MANUFACTURE

L E T T E R

BOX PCT  
Assistant Commissioner for Patents  
Washington, DC 20231

July 1, 2002

Sir:

Applicant wishes to advise the United States Patent and Trademark Office that a Declaration was filed on May 22, 2002, to perfect Applicant's filing requirements.

The filing requirements were perfected prior to the receipt of the Notification of Missing Requirements (371 Formalities Letter), a copy of which is attached hereto.

As evidence of Applicant's previous submission of a Declaration in connection with the present application, Applicant

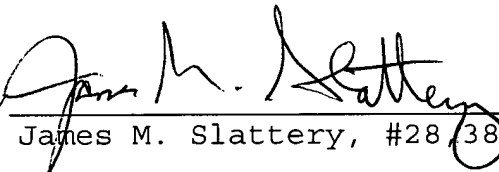
Appl. No. 10/089,444

encloses a copy of the Declaration and Power of Attorney, filed May 22, 2002, and a copy of the postcard indicating receipt of the Declaration by the U.S.P.T.O.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
James M. Slattery, #28,380

JMS/slb  
3868-0113P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachments: Copy of 371 Formalities Letter  
Copy of Postcard Receipt  
Copy of Declaration and Power of Attorney

(Rev. 12/03/01)



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/089,444	Von Christian Falkenhausen	3868-0113 P

INTERNATIONAL APPLICATION NO.
PCT/EP00/09061

I.A. FILING DATE	PRIORITY DATE
09/16/2000	09/30/1999

02292  
 BIRCH STEWART KOLASCH & BIRCH  
 PO BOX 747  
 FALLS CHURCH, VA 22040-0747

*Handwritten:* Docketed ES  
 7-4-02  
 Response

CONFIRMATION NO. 6939

371 FORMALITIES LETTER



\*OC000000008216374\*

Date Mailed: 06/04/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A.BOOKER

Telephone: (703) 305-3738

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,444	PCT/EP00/09061	3868-0113 P

FORM PCT/DO/EO/905 (371 Formalities Notice)

Papers Filed herewith on: 5/22/02  
DOCKET NO.: 3868-0113P ATTY.: JMS  
APPLICANT(S): CHRISTIAN VON FALKENHAUSEN et al.  
APPLN. NO: 10/089,444 FILED: 3/29/02  
PAT NO.:

- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
☐ Filing Under 37 CFR 1.114(RCE)  
☐ Specification Consisting of: \_\_\_\_\_ pages  
☐ Combined Declaration & Power of Attorney  
☒ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ Red-Ink  
☐ Completion of Filing Requirements, PCT/DO/EO/905  
or Formalities Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☐ Amendment: \_\_\_\_\_  
☐ Transmtl Ltr ☐ Large Entity ☐ Small Entity  
☐ Response  
☐ Information Discl Stmt. PTO-1449(s) \_\_\_\_\_ ref(s)  
☐ Notice of Appeal ☐ Appeal Brief  
☐ Issue Fee Transmittal  
☒ FEES: \$40.00 - Ch. # 4023950  
☐ Letter: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

Receipt is hereby acknowledged of the papers filed as  
indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Due Date: 5-29-02  
Handcarry: \_\_\_\_\_

Papers Filed herewith on: 5/22/02  
DOCKET NO.: 3868-0113P ATTY.: JMS  
APPLICANT(S): VON FALKENHAUSEN et al.  
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☒ Completion of Filing Requirements, PCT/DO/EO/905  
or Formalities Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☐ Amendment: \_\_\_\_\_  
☐ Transmtl Ltr ☐ Large Entity ☐ Small Entity  
☐ Response  
☒ Information Discl Stmt. PTO-1449(s) FNE (DOIP) ref(s)  
☐ Notice of Appeal ☐ Appeal Brief  
☐ Issue Fee Transmittal  
☐ FEES: \_\_\_\_\_  
☐ Letter: \_\_\_\_\_  
☒ Other: ENG. TRANS. OF INTERNATIONAL  
PRELIMINARY EXAM. REPORT

Receipt is hereby acknowledged of the papers filed as  
indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Due Date: 5-29-02  
Handcarry: \_\_\_\_\_

DOCKET NO.

3868-0113P

318